



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

SA:BTK  
F. #2015R00049

*610 Federal Plaza  
Central Islip, New York 11722*

June 23, 2015

By ECF

The Honorable John Gleeson  
United States District Court  
United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Jane Doe v. United States  
14-MC-1412 (JG)

Dear Judge Gleeson:

The government writes respectfully to advise the Court that it has filed a notice of appeal in connection with the Court's May 21, 2015 (the "May 21st Order") and May 22, 2015 orders in this case (the "May 22nd Order"). The Office continues to discuss internally whether to pursue an appeal of the Court's Orders and, given the date (nearly thirty days from entry), the government has filed the notice to preserve its appellate rights. In addition, the government has been consulting with counsel to the Federal Bureau of Investigation concerning proposed modifications to the Court's May 21 and 22 Orders that will both effectuate the Court's intention of precluding the petitioner's prospective employers from learning of her health care fraud conviction and will allow the government to pursue legitimate law enforcement objectives, including the arrest and prosecution of Jean Maxon Lucien and Frantz Mevs, two of the petitioner's codefendants who absconded following their arrests in the underlying case, United States v. Lucien, 00-CR-1274 (JG), and who remain at large.

Because the government has filed a Notice of Appeal to preserve its rights in this case, however, the Court may currently be divested of jurisdiction to modify its May 21 and 22 Orders. Accordingly, the government respectfully requests that, if the Office or the Department of Justice ultimately determines that an appeal is not warranted in this case, the Court afford the government the opportunity to address the scope of the Court's orders

and the implementation of them as currently written, which would substantially burden the government and have unintended consequences in related criminal proceedings.

Respectfully submitted,

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